Applicants have amended claims 1-3 to delete any reference to $NR^{22}R^{23}$. Accordingly, this rejection should be withdrawn.

The Office Action rejected clams 1-26 under 35 U.S.C. §112, second paragraph, as being indefinite, on various grounds. Applicants have amended claims 1, 2, 3, 6, 8 and 23 to address each point raised in the Office Action. Accordingly, this rejection should be withdrawn.

Favorable consideration and allowance of claims 1-26, as presently amended, is respectfully requested.

If any additional fees are incurred as a result of the filing of this paper, authorization is given to charge Deposit Account Number 23-0785.

Respectfully submitted,

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER

Date: June 12, 2003

By: _____
Martin L. Katz, Reg. No. 25,011

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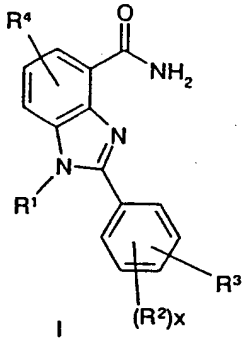
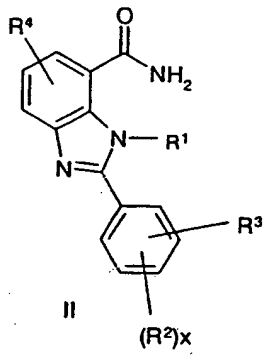
Marked-Up Version of Claims

Please amend claim 1 as follows:

1. (amended) A compound of the formula I or II



I



II

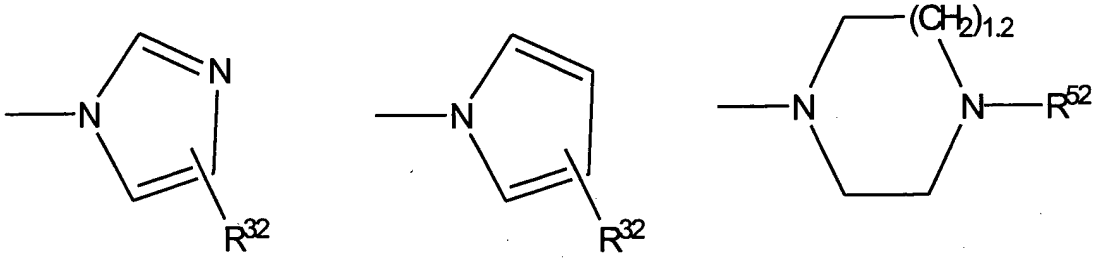
in which

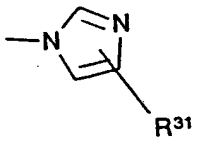
R^1 is hydrogen, or branched and unbranched C_1-C_6-alkyl, it also being possible for one C atom of the alkyl radical to carry OR^{11} or a group R^5, where R^{11} is hydrogen or C_1-C_4-alkyl, and

R^2 is hydrogen, chlorine, bromine, iodine, fluorine, CF3, nitro, $NHCOR^{21}$, [$NR^{22}R^{23}$,] OH, O-C_1-C_4-alkyl, O-C_1-C_4-alkylphenyl, NH_2, CN, a straight or branched C_1, - C_6-alkyl, OR^{21} or phenyl, it also being possible for the phenyl rings to be substituted by at most two radicals R^{24}, and R^{21} [and R^{22} independently of one another are] is hydrogen or C_1-C_4-alkyl [and R^{23} is hydrogen, C_1-C_4-alkyl or phenyl], and R^{24} is OH, C_1-C_6,-alkyl, O-C_1-C_4-alkyl, chlorine, bromine,. iodine, fluorine, CF_3, nitro or NH_2, and

x may be O, 1 or 2 and

R^3 is -O-$(CH_2)_o$-$(CHR^{31})_m$-$(CH_2)_n$-G, where R^{31} is hydrogen, OH, C_1-C_4 alkyl, or O-C_1-C_4-alkyl, m and o are, independently of one another, 0, 1 or 2 and n is 1, 2, 3 or 4,





-D-$(F^1)_p$-$(E)_q$-$(F^2)_r$, -G, where p, q and r may not simultaneously be 0, or is -E-$(D)_u$-$(F^2)_8$-$(G)_v$, it also being possible for the radical E to be substituted by one or two radicals A, and if v = 0, E is imidazole, pyrrole, pyridine, pyrimidine, piperazine, pyrazine, pyrrolidine or piperidine, or R^3 is B and

R^4 is hydrogen, chlorine, fluorine, bromine, iodine, branched and unbranched C_1-C_6-alkyl, OH, nitro, CF_3, CN, $NR^{41}R^{42}$, NH-CO-R^{43}, or O-C_1-C_4-alkyl, where R^{41} and R^{42} independently of one another are hydrogen or C_1-C_4-alkyl

and R^{43} is hydrogen, C_1-C_4-alkyl, C_1-C_4-alkylphenyl or phenyl, and

D is S or 0

E is phenyl, imidazole, pyrrole, thiophene, pyridine, pyrimidine, piperazine, pyrazine, furan,

thiazole, isoxazole, pyrrolidine, pipendine, or trihydroazepine

and

F^1 is a chain of 1 to 8 carbon atoms, it, also being possible for one carbon atom of the chain to carry an OH or O-C_1-C_4-alkyl group and

F^2 is a chain of 1. to 8 carbon atoms, it also being possible for one carbon atom of the chain to carry an OH or O-C_1-C_4-alkyl group and

p may be 0 or 1

q may be 0 or 1, and

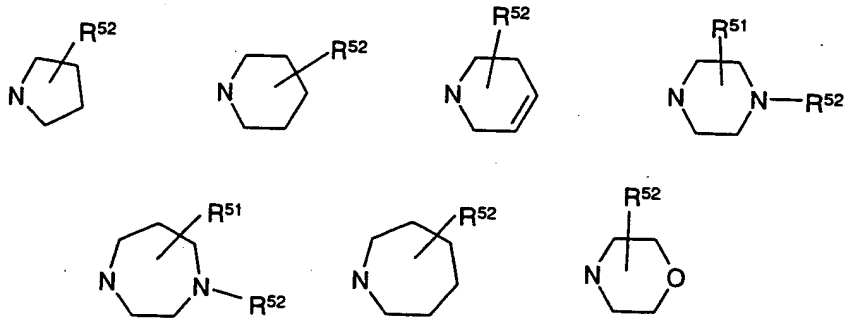
r may be 0 or 1 and

s may be 0 or 1

u may be 0 or I

v may be 0 or 1

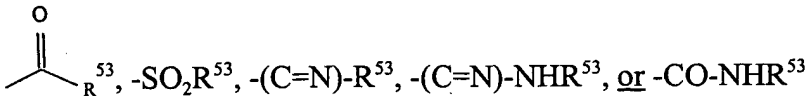
G may be $NR^{51}R^{52}$ or



[and] where

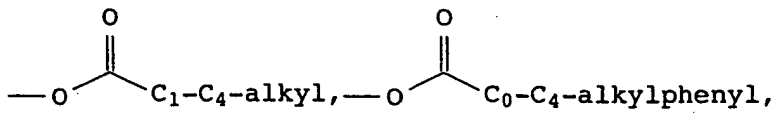
R^{51} is hydrogen or branched. and unbranched C_1-C_6-alkyl, or $(CH_2)_t$-K and

R^{52} is hydrogen, branched and unbranched C_1-C_6-alkyl, phenyl, $COCH_3$, $COCF_3$



in which

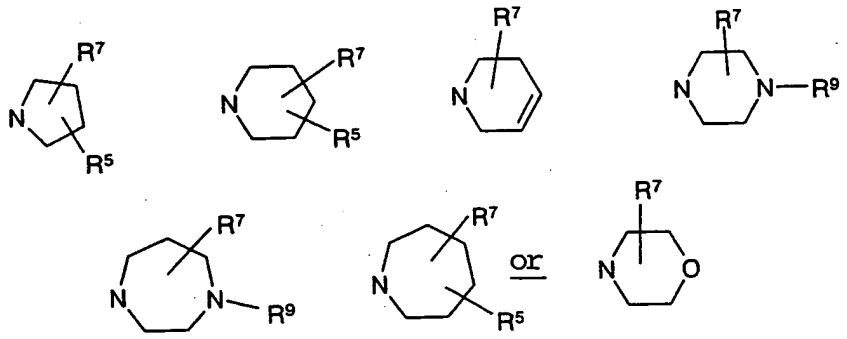
R^{53} may be branched or unbranched O-C_1-C_6-alkyl, phenyl, or branched or unbranched C_1-C_4-alkylphenyl, where in the case of R^{52} and R^{53}, independently of one another, one hydrogen of the C_1-C_6-alkyl radical may be substituted by one of the following radicals: OH, O-C_1-C_4-alkyl, cyclohexyl, cyclopentyl, tetrahydronaphthyl, cyclopropyl, cyclobutyl, cycloheptyl, naphthyl and phenyl, it also being. possible for the carbocycles of the radicals R^{52} and R^{53} independently of one another to carry one or two of the following radicals: branched or unbranched C_1-C_6-alkyl, branched or unbranched O-C_1-C_4-alkyl, OH, F, Cl, Br, 1, CF_3, $N0_2$, NH_2, CN, COOH, $COOC_1$-C_4-alkyl, C_1-C_4 alkylarnino, $CC1_3$, C_1,-C_4-dialkylamino, SO_2-C_1-C_4- alkyl, SO_2phenyl, $CONH_2$, CONH-C_1-C_4-alkyl, CONHphenyl, CONH-C_1-C_4-alkylphenyl, $NHSO_2$-C_1-C_4-alkyl, $NHSO_2$phenyl, S-C_1-C_4-alkyl,



CHO, CH_2-O-C_1-C_4-alkyl, -CH_2O-C_1-C_4-alkylphenyl, -CH_2OH, -SO-C_1-C_4-alkyl, -SO-C_1-C_4-alkylphenyl, -SO_2NH_2, -SO_2NH- C_1-C_4-alkyl

or two radicals form a bridge -O-$(CH_2)_{1,2}$-O-,

B may be



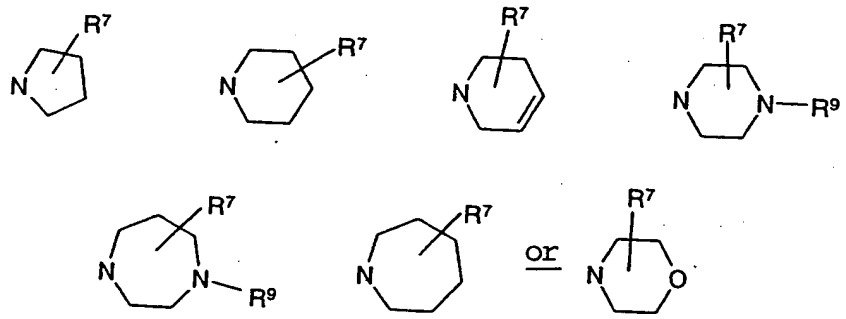
and

A may be hydrogen, chlorine, bromine, iodine, fluorine, CF_3, nitro, OH, O-C_1-C_4-alkyl, O-C_1-C_4-alkylphenyl, NH_2, branched and unbranchedC_1-C_6-alkyl, CN, or NH-CO-R^{33}, where R^{33} is hydrogen, C_1-C_4-alkyl or phenyl and

t is 0, 1, 2, 3[,] or 4 and

K is [a] phenyl, [which may carry at most two radicals R is] $NR^{k1}R^{k2}$ where R^{k1} and R^{k2} are as defined for R^{41} and R^{42} respectively, NH-C_1-C_4-alkylphenyl, pyrrolidine, piperidine, 1, 2, 5, 6-tetrahydropyridine, morpholine, trihydroazepine, piperazine, which may also be substituted by an alkyl radical C_1-C_6-alkyl, or homopiperazine, which may also be substituted by an alkyl radical C_1-C_6-alkyl, and C_4-alkylphenyl, pyrrolidine, piperidine, 1,2, 5, 6-tetrahydropyridine, morpholine, trihydroazepine, piperazine, which may also be substituted by an alkyl radical C_1-C_6-alkyl, or homopiperazine, which may also be substituted by an alkyl radical C_1-C_6-alkyl, and

R^5 may be hydrogen, C_1-C_6-alkyl, or NR^7R^9 and



and

R^7 is hydrogen, C_1-C_6-alkyl, C_1-C_4-alkylphenyl, or phenyl, it also being possible for the rings to be substituted by up to two radicals R^{71}, and

R^{71} is OH, C_1-C_6-alkyl, O-C_1-C_4-alkyl, chlorine, bromine, iodine, fluorine, CF_3, nitro, or NH_2, and

R^8 is hydrogen, C_1-C_6-alkyl, phenyl, or Cl-C_4-alkylphenyl, it also being possible for the ring to be substituted by up to two radicals R^{81}, and

R^{81} is OH, C_1-C_6-alkyl, O-C_1-C_4-alkyl, chlorine, bromine, iodine, fluorine, CF_3, nitro, or NH_2 and

R^9 is hydrogen, $COCH_3$, CO-O-C_1-C_4-alkyl, $COCF_3$, branched and unbranched C_1-C_6-alkyl, it being possible for one or two hydrogens of the C_1-C_6-alky radical to be substituted in each case by one of the following radicals: OH, O-C_1-C_4-alkyl and phenyl, and for the phenyl ring also to carry one or two of the following radicals: iodine, chlorine, bromine, fluorine, branched and unbranched C_1-C_6-alkyl, nitro, amino, C_1-C_4-alkylamino, C_1-C4-dialkylamino, OH, O-C_1-C_4-alkyl, CN, CF_3, or SO_2-C_1-C_4-alkyl,

or a tautomeric form, a possible enantiomeric or disasteriomeric form, a prodrug or

pharmacologically tolerated salt thereof.

Please amend claim 2 as follows:

2. (amended) A compound of the formula I or II as claimed in claim 1 in which

R^1 is hydrogen, branched and unbranched CI-C6-alkyl, it also being possible for one C atom of the alkyl radical to carry OR^{11} or a group R^5, where

R^{11} is hydrogen or C_1-C_4-alkyl, and

R^2 is hydrogen, chlorine, fluorine, bromine, iodine, branched and unbranched C_1-C_6-alkyl, nitro, CF_3, CN, [$NR^{22}R^{23}$,] NH-CO-R^{21}, OR^{21}, where

R^{21} [and $R^{22}$are, independently of one another,] is hydrogen or C_1-C_4-alkyl, and

[R^{23} is hydrogen,C_1-C_4-alkyl or phenyl, and]

R^3 is -O-$(CH_2)_o$-$(CHR^{31})_m$-$(CH_2)_n$-G, where

R^{31} is hydrogen, OH [and] or O-C_1-C_4-alkyl,

m, o are, independently of one another, 0, 1 or 2, and

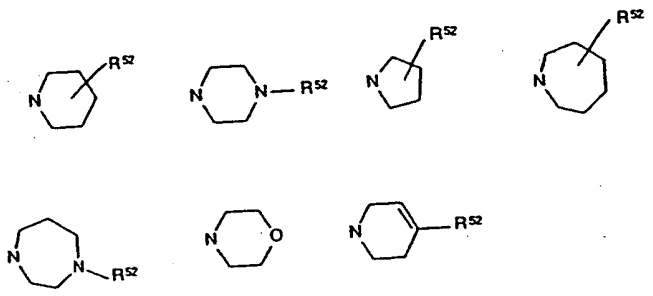
n is 1, 2, 3 or 4 and

R^4 is hydrogen, branched and unbranched C_1-C_6-alkyl, chlorine, bromine, fluorine, nitro, cyano, $NR^{41}R^{42}$, NH-CO-R^{43}, OR^{41} where

R^{41} and R^{42} are, independently of one another, hydrogen or C_1-C_4-alkyl, and

R^{43} is Cl-C4-alkyl or phenyl, and

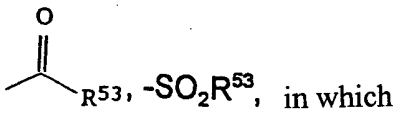
G is $NR^{51}R^{52}$ or one of the following radicals



where

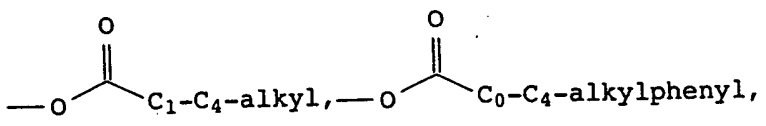
R^{51} is hydrogen [and] <u>or</u> branched and unbranched C_1-C_6 alkyl, and

R^{52} is hydrogen, branched and unbranched C_1-C_6-alkyl phenyl,



, $-SO_2R^{53}$, in which

R^{53} is branched or unbranched O-C_1-C_6-alkyl, phenyl, branched or unbranched C_1-C_4-alkyl-phenyl, where one hydrogen in the C_1-C_6-alkyl radical in R^{52} and R^{53} are, independently of one another, optionally substituted by one of the following radicals: OH, O-C_1-C_4-alkyl, cyclohexyl, cyclopentyl, tetrahydronaphthyl, cyclopropyl, cyclobutyl, cycloheptyl, napthyl and phenyl, where the carbocycles of the R^{52} and R^{53} radicals may also, independently of one another, carry one or two of the following radicals: branched or unbranched C_1-C_6-alkyl, branched or unbranched O-C_1-C_4-alkyl, OH, F, C_l, Br, l, CF_3, $N0_2$, NH_2, CN, COOH, $COOC_1$-C_4-alkyl, C_1-C_4-alkylamino,CCl_3, C_1-C_4-dialkylamino, SO_2-C_1-C_4-alkyl, SO_2 phenyl, $CONH_2$, CONH-C_1-C_4 alkyl, CONHphenyl, CONH-C_1-C_4-alkyl-phenyl, $NHSO_2$-C_1-C_4-alkyl, $NHSO_2$phenyl, S-C_1-C_4-alkyl,



CHO, CH_2 -O-C_1-C_4-alkyl, -CH_2O-C_1-C_4-alkyl-phenyl, -CH_2OH, -SO-C_1-C_4-alkyl, -SO-C_1-C_4-alkyl-phenyl,SO_2NH_2,-SO_2NH-C_1-C_4-alkyl [and] or two radicals form a bridge -O-$(CH_2)_{1,2}$- O -,

or a tautomeric form, a possible enantiomeric or. disasteriomeric form, a prodrug or pharmacologically tolerated salt thereof.

Please amend claim 3 as follows:

3. (amended) A compound of the formula I or II as claimed in claim 1 in which

R^1 is hydrogen, branched and unbranched C_1-C_6-alkyl, it also being possible for one C atom of the alkyl radical to carry OR^{11} or a group R^5, where

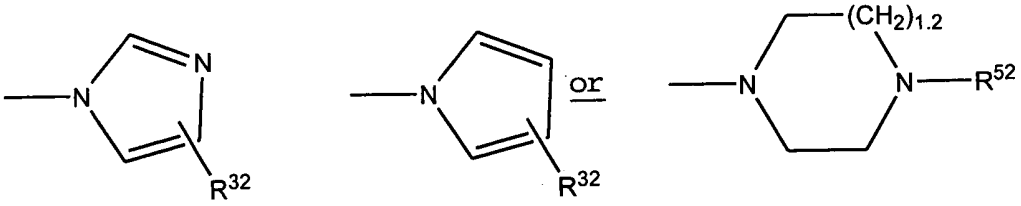
R^{11} is hydrogen or C_1-C_4-alkyl, and

R^2 is hydrogen, chlorine, fluorine, bromine, iodine, branched and unbranched C_1-C_6-alkyl, nitro, CF_3, CN, $NR^{22}R^{23}$, NH-CO-R^{21}, OR^{21}, where

R^{21} and R^{22} independently of one another are hydrogen or C_1-C_4-alkyl and

R^{23} is hydrogen, C_1-C_4 alkyl or phenyl

R^3 is



and

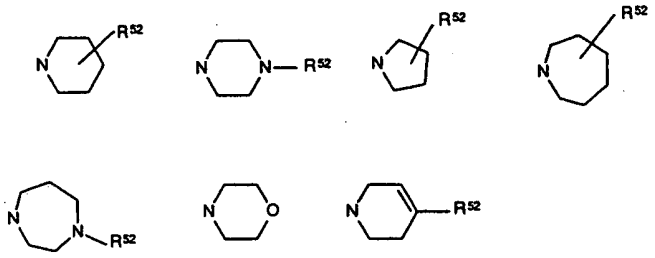
R^{32} is hydrogen and $-(CH_2)_o-(CHR^{31})_m-(CH_2)_n-G$ where R^{31} is hydrogen, C_1-C_4-alkyl, OH and O-C_1-C_4-alkyl, m, o independently of one another are u, 1 or 2 and n is 1, 2, 3 or 4, and

R^4 is hydrogen, branched and unbranched C_1-C_6-alkyl, chlorine, bromine, fluorine, nitro, cyano, $NR^{41}R^{42}$, $NH-CO-R^{43}$, OR^{41}, where

R^{41} and R^{42} independently of one another are hydrogen or C_1-C_4-alkyl and

R^{43} is C_1-C_4-alkyl or phenyl, and,

G is $NR^{51}R^{52}$ or one of the radicals below



where

R^{51} is hydrogen and branched and unbranched and C_1-C_6-alkyl and

R^{52} is hydrogen, $COCH_3$, CO-O-C_1-C_4-alkyl, $COCF_3$, branched and unbranched C_1-C_6-alkyl,it

being possible for one hydrogen of the C_1-C_6-alkyl radical to be substituted by one of the following radicals: OH, O-C_1-C_4-alkyl and phenyl and for the phenyl ring also to carry one or two of the following radicals: chlorine, bromine, fluorine, branched and unbranched C_1-C_4-alkyl, nitro, amino, C_1-C_4-alkylamino, C_1-C_4-dialkylamino, OH, O-C_1-C_4-alkyl, CN, SO_2-C_1-C_4-alkyl,

or a tautomeric form, a possible enantiomeric or disasteriomeric form, a prodrug or pharmacologically tolerated salt thereof.

Please amend claim 6 as follows:

6. (amended) A compound as claimed in claim 1, where

R^2 is hydrogen, branched or unbranched C_1-C_6-alkyl, nitro, CN, NH_2, or O-C_1-C_4-alkyl.

Please amend claim 8 as follows:

8. (amended) A compound as claimed in claim 1, where R^3 is -$D(F^1)_p$-$(E)_q$-$(F^2)_r$-G where D is [0] O, F1 is a C_1-C_4 carbon chain, p is 1, q is 0 and r is 0.

Please amend claim 23 as follows:

23. (amended) The method as claimed in claim 11 wherein the disorder is a tumor or metasis [I] thereof.